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EXPRESS MAIL NO.: EV 316175881 US

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Franklin *et al.*

Examiner: Gregg Cantelmo

Serial No.: 09/834,389

Art Unit: 1745.

Filed: April 13, 2001

For: **INTEGRATED AND MODULAR BSP/MEA/MANIFOLD PLATES FOR FUEL CELLS**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

COMMUNICATION REGARDING POWER OF ATTORNEY

Please refer to the attached paper number 10 regarding the above patent application. I am enclosing a copy of a "Power by Inventors" granting Cooley Godward LLP to act / prosecute and transit all business in the USPTO in connection with the above application. I understand that all communications from the USPTO will go to Mr. Daniel Maguire. He will provide me a copy of such communications and Cooley Godward LLP will act on behalf of Mr. Arikara and Mr. Bawden.

Date: September 12, 2003

Respectfully submitted,  
COOLEY GODWARD LLP

Cooley Godward LLP  
ATTN: Patent Group  
Five Palo Alto Square  
3000 El Camino Real  
Palo Alto, CA 94306-2155  
Tel: (650) 843-5000 Fax: (650) 857-0663  
TMM/ct

By:

*Tom M. Moran*  
Tom M. Moran  
Reg. No. 26,314



## UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Paper No. 10

DANIEL P. MAGUIRE  
423 E STREET  
DAVIS CA 95616

1550-857-0663

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JUN 26 2003

OFFICE OF PETITIONS

In re Application of  
Franklin et al.  
Application No. 09/834,389  
Filed: 13 April, 2001  
For: INTEGRATED AND MODULAR  
BSP/MEA/MANIFOLD PLATES FOR FUEL  
CELLS

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ON PETITION

This is a decision on the petition filed on 22 February, 2002, under 37 CFR 1.182, requesting acceptance of a revocation and appointment of a power of attorney made on behalf of less than all the named inventors. The Office apologizes for the delay in responding to the present petition.

The petition is granted.

The declaration under 37 CFR 1.63 filed on 22 June, 2001, naming Jerrold E. Franklin, Eric S. Mettler, Muralidharan P. Arikara, and Lawrence R. Bawden, Jr. was signed by all joint inventors and gave power of attorney to, *inter alia*, Howard M. Peters (Peters et al.) of Peters, Verny, Jones & Biksa, LLP, 385 Sherman Avenue, Suite 6, Palo Alto, CA 94306, as the correspondence address of record. On 15 February, 2002, a revocation of power of attorney signed by all inventors was filed.

Petitioners Jerrold E. Franklin and Eric S. Mettler by way of registered practitioner Daniel P. Maguire, 423 E Street, Davis, CA 95616, asserts that a dispute has arisen between themselves and joint inventors Arikara and Bawden and seek to require that all correspondence filed in this application be signed by representatives of themselves and by joint inventors Arikara and Bawden, who have not filed a power of attorney.

In accordance with MPEP 402.10, to assure that all interests are properly and effectively represented, all further correspondence

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Application No. 09/834,389

to the U.S. Patent and Trademark Office (USPTO) must be signed by petitioners' representative (Maguire) as named in the declaration and power of attorney submitted on 22 February, 2002, and likewise signed by joint inventors Arikara and Bawden, or any representative they appoint. Each attorney signing subsequent papers must indicate whom he or she represents.

In view of the revocation of the power of attorney to Peters et al., and the appointment of Maguire as the only attorney of record, all future correspondence will be sent solely to Maguire.<sup>1</sup> All parties are reminded that dual correspondence is not permitted and will not be undertaken by the USPTO.

It is noted that, notwithstanding this decision, the inventors may still jointly appoint or revoke a power of attorney.

The application is being forwarded to Technology Center 1700 for examination in due course.

Telephone inquiries related to this decision should be directed to the undersigned at 703-308-6918.

*Fax*

*703-308-6916*

*D. Wood*

Douglas I. Wood  
Senior Petitions Attorney  
Office of Petitions

cc: Muralidharan P. Arikara  
1009 Carter Street  
Folsom, CA 95630

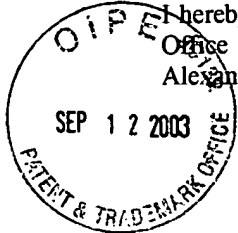
Lawrence R. Bawden, Jr.  
3720 Devon Court  
El Dorado Hills, CA 95762

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<sup>1</sup>When acceptance of such papers results in an attorney or agent and at least one applicant or owner prosecuting the application, correspondence will be mailed to the attorney or agent. MPEP 402.10.

**Attorney Docket No: JADO-002/02US**

**PATENT**



I hereby certify that this correspondence is being transmitted by facsimile addressed to Douglas I. Wood,  
Office of Petitions, Facsimile Number 703-308-6916, at United States Patent and Trademark Office,  
Alexandria, VA 22313-1450 at \_\_\_\_\_ on \_\_\_\_\_

By: \_\_\_\_\_

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Franklin et al.

Serial No.: 09/834,389

Examiner:

Filed: April 13, 2001

Art Unit:

For: INTEGRATED AND MODULAR BSP/MEA/MANIFOLD PLATES FOR  
FUEL CELLS

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Mail Stop Office of Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**POWER BY INVENTOR(S)**

The Applicant(s) of the above-identified application hereby grants the registered practitioners of Cooley Godward LLP included in the Customer Number provided below power to act, prosecute, and transact all business in the U.S. Patent and Trademark Office in connection with this application, any applications claiming priority to this application, and any patents issuing therefrom.

Please direct all telephone calls and correspondence to:

**COOLEY GODWARD LLP**  
ATTN: Patent Group  
Five Palo Alto Square  
3000 El Camino Real  
Palo Alto, CA 94306-2155  
Tel: (650) 843-5000  
Fax: (650) 857-0663

CUSTOMER NUMBER: **23419**

Date:

2 7/14/03

Signature:



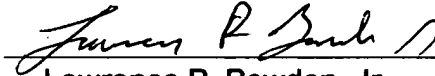
Full Name:

Muralidharan P. Arikara

Date:

7/14/03

Signature:



Full Name:

Lawrence R. Bawden, Jr.